

Remarks

The examiner contends that the application contains the following inventions that allegedly fail to define a single general inventive concept under PCT Rule 13.1:

1. Group I, claims 1-11;
2. Group II, claims 22-33, 38 and 39; and
3. Group III, claims 12-21 and 34-37.

In response, Applicants elect, with traverse, Group III, claims 12-21 and 34-37, for prosecution in the present application. Applicants also request rejoinder of the remaining claims for the following reasons.

Applicants note that claim 1 has been amended to positively recite a collection vessel. The claims of Groups I, II, and III are believed to recite a single inventive concept, namely, an apparatus/method for collecting airborne particles by establishing a cyclonic flow path in the collection vessel. Thus, under PCT Rule 13.1, all claims should be examined together in the present application.

Further, MPEP § 803 states that "If a search and examination of an entire application can be made without serious burden, the Examiner must examine [the entire application] on the merits, even though it includes claims to independent or distinct inventions." Since the inclusion of all claims in the present application would not impose any serious burden on the Examiner, MPEP § 803 requires that the restriction be withdrawn so that all pending claims can be examined in the present application.

The Examiner is invited to call the undersigned if there are any issues remaining concerning this matter.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 595-5300
Facsimile: (503) 595-5301

By /Jeffrey B. Haendler/
Jeffrey B. Haendler
Registration No. 43,652